

**In the United States Court of Federal Claims**

No. 09-840 L

(Filed July 7, 2010)

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WAYNE A. BRACKETT, JEANNE \*  
V. BRACKETT, \*

*Plaintiffs,* \*

v. \*

THE UNITED STATES, \*

*Defendant.* \*

\* \* \* \* \*

**ORDER**

Plaintiffs' counsel of record, Warren R. Power, filed a Motion to Withdraw as counsel in this matter. Defendant filed a response to plaintiffs' motion stating that the government does not oppose counsel's motion to withdraw. However, if the court allows the motion, defendant moves for the court to order plaintiffs to inform the court in writing by July 26, 2010 either that they intend to retain new counsel or proceed as *pro se* litigants.

On June 24, 2010, the undersigned initiated a telephonic conference call with counsel for the parties to ascertain the status of the case. The court was informed that settlement is not an option in this matter and plaintiffs' counsel maintains his request to withdraw based upon a breakdown in the attorney-client relationship.

Accordingly, it is hereby **ORDERED** that:

- (1) Warren R. Power's Motion to Withdraw is **GRANTED**.
- (2) The Clerk's Office is directed to **REMOVE** this matter from the

court's electronic filing system as of the date of this order.

- (3) The Clerk's Office is directed to **SERVE** a copy of this order and any future filings in this matter to plaintiffs at:

740 County Road 131  
Roanoke, Alabama 36274

- (4) **Plaintiffs** shall **FILE** with the court, and **SERVE**<sup>1</sup> a copy on the government's counsel, a **Status Report**, on or before **August 13, 2010**, indicating if they intend to litigate this matter either without counsel (*pro se*) or with new counsel.

/s/Lynn J. Bush

LYNN J. BUSH

Judge

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<sup>1</sup>/ Plaintiffs are reminded that any submissions before the court must comply with the procedural Rules of the Court of Federal Claims (RCFC). All filings must include a certificate of service showing (1) the day and manner of service; (2) the person or entity served; and (3) the method of service employed. *See* RCFC 5.3, Proof of Service. Also, any filings to the court must include an original and two copies, pursuant to RCFC 5.5(d)(2). The court's rules are available on the internet at <http://www.uscfc.uscourts.gov/rules-and-forms>.